

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Tribal Welfare-Khammam District – Revision Petition filed Under Section 6 of A.P.S.A.L.T.R 1959, by Smt Ranga Bharatamma W/o Late Buchaiah(LR) R/o Yanambail (V) Palvancha (M), Khammam District against the orders of the Addl. Agent to Government, Bhadrachalam in CMA No.55/1998,dt01-06-2001 – Dismissed – Orders - Issued.

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SOCIAL WELFARE (LTR.-2) DEPARTMENT

G.O.Ms.No. 51

Dated:23-5-2009.

Read the following:

1. From Sri K. Vinaya Kumar, Counsel for the petitioner, Revision Petition Dt:27-6-2001.
2. Government Memo No.10835/LTR2/2001 dt:17-7-2001.
3. From the Collector, Khammam R.S.No.F1-CMA No:55/1998, dt:7-1-2002.
4. Government letter No.10835/LTR2/2001 dt:15-3-02, 16-4-02, 7-2-04 & 19-1-09.

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**ORDER:**

In the reference 1<sup>st</sup> read above Smt. Ranga Bharatamma W/o Late Buchaiah (L/R) has filed a Revision Petition before the Government against the orders of the Additional Agent to Government, Bhadrachalam in CMA No.55/1998, dt:1-6-2001 in respect of lands admeasuring Acres 2.22 guntas in Sy.No.150/22 of Yanambile (V) Palvancha (M), of Khammam District. The main grounds of the appellant in the Revision Petition among others are as hereunder:

- i. The learned Agent to Government ought to have seen that the transaction was between non-tribals and as such the provisions of Land Transfer Regulation have no application.
  - ii. The learned Agent to Government ought to have seen that it is not for the revenue courts or agency authorities to decide the validity of the agreement of sale.
  - iii. The petitioner has been in continuous possession and enjoyment of the land since the date of purchase and pahanies from 1966-67 and 1967-68 clearly shows the name of petitioner as purchaser
2. The brief history of the case is that on the complaint of Special Deputy Tahasildar (TW), Palvancha that one non-tribal viz., Ranga Buchaiah was found to be in illegal possession of land measuring acres 2.22 guntas in Sy.No.150/22 at Yanambile (V) of Palvancha (M) in Khammam District, the Special Deputy Collector (TW), conducted enquiry in LTR case No.1306/94/PVC and held in his order dt:25-7-1998 that the non-tribal respondent failed to produce evidence in support of his claim over the suit land and construed that he entered the suit land unauthorisedly in contrary to the provisions of Andhra Pradesh Scheduled Areas Land Transfer Regulation 1/59 read with Regulation 1/70 and directed the Mandal Revenue Officer, Paloncha to take into possession and assign to eligible landless poor tribals as per rules. Aggrieved by the orders of Special Dy.Collector (TW) Paloncha, Sri Ranga Butchaiah (N.T) filed Appeal before the Agent to Government, Khammam which was also dismissed in CMA No:55/1998 on 1-6-2001 on the grounds that Smt. Puvvada Hemalatha Devi and (3) others i.e. daughters of Puvvada Venkata Subba Rao were the pattedars for crucial period i.e. from 1967-68 to 1973-74 while name of the non-tribal appellant Ranga Buchaiah was found written with different ink and different hand writing in occupant's column only for the year 1967-68 and was not found either in pattedar's column or occupant's column for the subsequent years, which revealed that the entry was interpolated with a malafide intention. The appellant also failed to file registered document in respect of the sale transaction said to be made prior to promulgation of Land Transfer Regulation provisions and that the sada sale agreement was not acceptable as per the ruling of the Hon'ble High Court of Andhra Pradesh. The appellant also failed to produce corroborate evidences such as authenticated land

revenue receipts. Aggrieved by the order of the Agent to Government, Smt. Bharatamma filed a Revision Petition before the Government.

3. In the reference 2<sup>nd</sup> read above, the Agent to Government, Bhadrachalam was requested to furnish parawise remarks and case records and the same were furnished in the reference 3<sup>rd</sup> read above. After examination of the case records, notices were issued to the concerned to attend the hearing of the Revision Petition on 8-4-2002 and was finally heard on 29-1-2009 vide reference 4<sup>th</sup> read above both the petitioner and his counsel were absent.

4. Government after careful examination of the material evidence on records observed that:

The sada sale agreement between non-tribal vendor Puvvada Venkata Subba Rao and non-tribal vendee i.e. petitioner herein Ranga Buchaiah ante-dated:20-5-1996 is not valid as per judgement of the Hon'ble High Court in CRP No.1087/96, dt:10-8-1998 between Bangaru Rama Tulisamma Vs Yada Mastan Reddy and was pressed in only to avoid LTR proceedings and hence was found in occupant's column of the pahani only for the year 1967-68 and did not find place in all subsequent years.

5. Government after careful examination of the case records hereby find no reason to interfere with the orders of the Agent to Government, Khammam District in CMA No.55/1998, dt:01-06-2001 and accordingly dismissed the Revision Petition.

6. The Collector, Khammam District / Additional Agent to Government Bhadrachalam is requested to take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.K.TIGIDI,  
Prl. Secretary to Government

To

The Collector, Khammam District.

(with RPAD of the following records)

1. LTR No.1306/94/PVC CFP-36 and NFP-2 total 38 only.

2. CMA No.55/1998 CFP-158 and NFP-06 total 164 only.

The Agent to Government, Bhadrachalam, Khammam.

The Special Deputy Collector (TW), Bhadrachalam, Khammam District.

Sri K.Vinaya Kumar, Advocate,

H.No.1-3-183/40/68/C/2, Near play Ground No.11,

Gandhi Nagar, Hyderabad.80.

Sri Ranga Buchaiah as per LR wife, Ranga Bharatamma W/o Late Buchaiah

R/o Yanambail (V) Palvantha (M), Khammam District

Smt. Puvvada Hemalatha Devi,

Smt. Jayasee,

Smt. Suvarnalatha,

Smt. Susheela Rani,

( All are R/o Kannevari thota, Guntur)

Copy to the P.S. to M (TW&RAID).

SF / SC

FORWARDED: BY ORDER

SECTION OFFICER.